

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

IN RE: NETWORK ENGINES, INC.
SECURITIES LITIGATION

)
) Civ. Act. No. 03-12529-JLT
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)
)

STIPULATION TO EXTEND DATE OF FILING OF ANSWER

WHEREAS, on November 24, 2004, the Court issued a denial of the Defendants' motion to dismiss the Amended Consolidated Complaint;

WHEREAS, an answer to the Amended Consolidated Complaint would otherwise be due on December 9, 2004; and

WHEREAS, Plaintiffs and Defendants have agreed to extend the time by which such answer shall be filed for a period of two weeks;

THEREFORE, IT IS HEREBY STIPULATED AND AGREED by the parties that:

1. Defendants need not file an answer to the Amended Consolidated Complaint until December 23, 2004.

By the Plaintiffs' attorneys,

/s/ Rachel S. Fleishman
Nancy Freeman Gans (BBO # 184540)
Moulton & Gans, P.C.
33 Broad Street, Suite 1100
Boston, MA 02109-4216
(617) 369-7979

Rachel S. Fleishman

Milberg Weiss Bershad & Shulman LLP
One Pennsylvania Plaza
New York, NY 10119
(212) 594-5300

Samuel H. Rudman
David A. Rosenfeld
Lerach Coughlin Stoia Geller Rudman & Robbins, LLP
200 Broadhollow Road, Suite 406
Melville, NY 11747
Phone: 631-367-7100

NETWORK ENGINES, INC., JOHN CURTIS,
DOUGLAS G. BRYANT, and LAWRENCE A.
GENOVESI,

By their attorneys,

/s/ John A. Litwinski
Jeffrey B. Rudman (BBO #433380)
Daniel W. Halston (BBO #548692)
John A. Litwinski (BBO #650603)
Wilmer Cutler Pickering Hale and Dorr LLP
60 State Street
Boston, MA 02109
(617) 526-6000

Robin L. Alperstein (*pro hac vice*)
Wilmer Cutler Pickering Hale and Dorr LLP
399 Park Avenue
New York, NY 10022
(212) 230-8800

Dated: December 9, 2004

CERTIFICATE OF SERVICE

I hereby certify that a true copy of the
above document was served upon the
attorney of record for each other party
by mail ~~hand~~ on Dec. 9, 2004